

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

ARIANNA GOODMAN, et al.,

Plaintiffs,

vs.

HOWARD LUTNICK, in his official capacity
as Secretary of Commerce, et al.,

Defendants.

Case No.: 8:25-cv-02097-LKG

PLAINTIFFS' NOTICE OF SUPPLEMENTAL AUTHORITY

Plaintiffs respectfully submit supplemental authority in support of their Opposition to Defendants' Motion to Dismiss (ECF No. 18).

In *Jackson v. Kennedy*, No. 25-cv-1750, 2026 WL 172440, at *1 (D.D.C. Jan. 22, 2026), the court considered Privacy Act claims brought by a group of former federal employees who were fired as part of a large-scale reduction-in-force at the Department of Health and Human Services (HHS). Defendants in that case moved to dismiss, arguing that the court lacked jurisdiction and that plaintiffs failed to state a claim. *Id.* at *6. As to jurisdiction, the defendants argued that *Elgin v. Department of the Treasury*, 567 U.S. 1 (2012) controlled and required dismissal. *Id.* at *9. The court rejected that argument, holding that it was “foreclosed by controlling precedent in the D.C. Circuit, which has taken a ‘narrow view of CSRA preemption in Privacy Act cases.’” *Id.* at *7 (quoting *Gerlich v. U.S. Dep’t of Just.*, 659 F. Supp. 2d 1, 14 (D.D.C. 2009)). Accordingly, aside from dismissing individual defendants named in their official capacity as “redundant,” *id.* at *14, the court denied the defendants’ motion to dismiss on both grounds, *id.* at *15.

A true and correct copy of the opinion is attached as Exhibit 1.

Dated: January 23, 2026

Respectfully submitted,

/s/ Clayton L. Bailey

Clayton L. Bailey (Bar No. 31812)

Civil Service Law Center LLP

1455 Pennsylvania Ave NW, Suite 400

Washington, DC 20004

(202) 571-7836

cbailey@civilservicellp.com